

REMARKS

Claims 1-38 and 40 - 79 are pending in the Application. Claims 1-37, 44-46, 48-58 and 60-79 are withdrawn from consideration. Claims 38, 40 - 43, 47 and 59 are rejected. Claims 38, and 59 are currently amended. Claim 39 was cancelled in the previous response.

Claim Rejections – 35 U.S.C. §103

The Examiner rejected claims 38-39, 42, and 59, under U.S.C. §103(a) as being unpatentable over Hsu et al. (US Patent No. 6,652,068) in view of Baker et al. (US Patent No. 5,052,271).

The claims have been amended to positively define that feeding via capillary action is carried out at atmospheric pressure.

The use of capillary action for the first time allows feeding of the ink at atmospheric pressure. Hsu would require a pump in order to work and thus the feed neither uses capillary action nor atmospheric pressure. Baker's specification does not address the issue of atmospheric pressure, but use of a sponge is generally problematic when using capillary action as it is impossible to clean if the ink dries, thus implying that Baker is not using capillary action. There is thus no solution known or hinted at in the prior art that allows feeding at atmospheric pressure without introducing the disadvantages of a sponge.

The remaining claims mentioned in the Office Action are believed to be allowable as being dependent on an allowable main claim.

All of the matters raised by the Examiner have been dealt with and are believed to have been overcome.

In view of the foregoing, it is respectfully submitted that all the claims now pending in the application are allowable.

An early Notice of Allowance is therefore respectfully requested.

Respectfully submitted,



Martin D. Moynihan
Registration No. 40,338

Date: April 2, 2009

Enclosures:

- Petition for Extension of Time (Two Months)